

ADAM PAUL LAXALT
Attorney General
Heidi Parry Stern (Bar. No. 8873)
Chief Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., #3900
Las Vegas, NV 89101-1068
(702) 486-3594 (phone)
(702) 486-2377 (fax)
HStern@ag.nv.gov

Attorneys for Respondents

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL L. SMITH,

Petitioner,

VS.

RENEE BAKER, et al.,

Respondents.

Case No. 3:13-cv-00246-RCJ-WGC

**ORDER GRANTING
UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE RESPONSE TO SECOND
AMENDED PETITION FOR WRIT OF
HABEAS CORPUS (ECF NO. 44)**

(SECOND REQUEST)

Respondents move this Court for a 60-day enlargement of time, up to and including January 7, 2019, within which to file a Response to Petitioner's Second Amended Petition for Writ of Habeas Corpus (ECF No. 44).

This is the second enlargement of time sought by Respondents and is brought in good faith and not for the purpose of delay.

Respectfully submitted: November 8, 2018.

ADAM PAUL LAXALT
Attorney General

By: /s/ Heidi Parry Stern
Heidi Parry Stern (Bar. No. 8873)
Chief Deputy Attorney General

1 DECLARATION OF HEIDI PARRY STERN

2 STATE OF NEVADA)
3) ss:
4 COUNTY OF CLARK)

5 I, HEIDI PARRY STERN, being first duly sworn under oath, depose and state as follows:

6 1. I am an attorney licensed to practice law in the State of Nevada; qualified and admitted to
7 practice before this Court; employed as a Chief Deputy Attorney General in the Office of the Nevada
8 Attorney General; and pursuant to this employment, I have been assigned to represent Respondents in
9 *Michael L. Smith v. Renee Baker, et al.*, Case No. 3:13-cv-00246-RCJ-WGC, and as such, have personal
knowledge of the matters contained herein;

10 2. This extension is necessary due to my preparation for oral argument in the Ninth Circuit
11 in *Robert Jones v. Jack Palmer, et al.*, Case No. 17-15575, which took place on October 9, 2018, and
12 *Alquandre H. Turner v. Renee Baker, Warden, et al.*, Case No. 17-72044, which will be taking place on
13 November 16, 2018.

14 3. In addition, our office has been short staffed over the past few months due to the retirement
15 of one of the attorneys in our unit and the difficulty in finding a replacement for him.

16 4. That the Response to Petitioner's First Amended Petition for Writ of Habeas Corpus is
17 due to be filed on November 8, 2018.

18 5. Respondents request 60 days to file a response, up to and including January 7, 2019.

19 6. I have contacted opposing counsel, and she has no objection to this request for extension.

20 7. This is Respondents' first motion for enlargement of time to respond to Petitioner's
21 Second Amended Petition for Habeas Corpus.

22 8. This motion for enlargement of time is made in good faith and not for the purpose of delay.

23 FURTHER DECLARANT SAYETH NAUGHT.

24 DATED this 8th day of November, 2018.

25 /s/ Heidi Parry Stern

26 Heidi Parry Stern (Bar. No. 8873)
Chief Deputy Attorney General

27 IT IS SO ORDERED this 13th day of February, 2019.

28 
ROBERT C. JONES